

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR
SYSTEMS PRODUCTS LIABILITY
LITIGATION

Master File No. 2:12-MD-02327
MDL 2327

ETHICON WAVE 5 CASES LISTED IN
EXHIBIT A

JOSEPH R. GOODWIN U.S. DISTRICT
JUDGE

**DEFENDANTS' NOTICE OF ADOPTION OF PRIOR DAUBERT MOTIONS AND
REPLY BRIEFINGS OF RALPH ZIPPER, M.D. FOR WAVE 5**

Come now, Defendants Ethicon, Inc., Ethicon, LLC and Johnson & Johnson (collectively, "Ethicon"), and hereby move to exclude certain general opinions of one of Plaintiffs' experts, Dr. Ralph Zipper. Defendants adopt and incorporate by reference the *Daubert* motion filed against Dr. Zipper for Ethicon Wave 1, Dkt. Nos. 2068 (motion), 2072 (memorandum in support), and supporting Reply brief, Dkt. 2221, and the Court's Wave 1 ruling with respect to Dr. Zipper. *See* Order, Dkt.. No. 2717; *see also* Dkt. 2418 (Notice of Adoption for Wave 2 Order), 3299 (Notice of Adoption for Wave 3 Order).

Ethicon respectfully requests that the Court exclude Dr. Zipper's testimony, for the

reasons expressed in the Wave 1 briefings. This notice applies to the Wave 5 cases identified in Exhibit A attached hereto.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this day I electronically filed the foregoing document with the Clerk of the court using CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

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EXHIBIT A

EXHIBIT A

Case Name	Case Number	Product
<i>Debbie Avant, et al. v. Ethicon, Inc., et al.</i>	2:12-cv-07413	Prolift, TVT
<i>Sammie Marie Ball v. Ethicon, Inc., et al.</i>	2:12-cv-07415	TVT
<i>Chantel Bohne v. Ethicon, Inc., et al.</i>	2:12-cv-07417	TVT
<i>Gayle Burden, et al. v. Ethicon, Inc., et al.</i>	2:12-cv-06383	Prolift
<i>Glenda Dawes, et al. v. Ethicon, Inc., et al.</i>	2:12-cv-08048	TVT
<i>Laura Hoggatt, et al. v. Ethicon, Inc., et al.</i>	2:12-cv-05667	Proxima
<i>Kimberly Jarrell, et al. v. Ethicon, Inc., et al.</i>	2:12-cv-07422	TVT
<i>Hema Kaviratna, et al. v. Ethicon, Inc., et al.</i>	2:12-cv-08019	TVT
<i>Anna L. Paschke v. Ethicon, Inc., et al.</i>	2:12-cv-06399	Prolift, TVT-S
<i>Mary Lee Platt, et al. v. Ethicon, Inc., et al.</i>	2:12-cv-07420	TVT-O
<i>Regina Beth Redden v. Ethicon, Inc., et al.</i>	2:12-cv-06405	Prolift, TVT
<i>Beverly Sampson v. Ethicon, Inc., et al.</i>	2:12-cv-07424	TVT